

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

February 28, 2005

- C044414 THE PEOPLE v. RUIZ (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Raye, J.
Hull, J.
- C044849 THE PEOPLE v. NIX (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Raye, Acting P.J.
Robie, J.
- C045722 THE PEOPLE v. ABACA (Not for Publication)**
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Hull, J.
Butz, J.
- C046381 THE PEOPLE v. DOBBINS (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Hull, J.
Robie, J.
- C046426 THE PEOPLE v. RAMM (Not for Publication)**
The judgment is reversed and the matter is remanded to the trial court for resentencing.
BUTZ, J.
We Concur: Blease, Acting P.J.
Davis, J.
- C047169 THE PEOPLE v. BOWER (Not for Publication)**
Defendant's conviction for possessing methamphetamine pursuant to Health and Safety Code section 11377, subdivision (a), is reversed. The trial court is directed to prepare an amended abstract... In all other respects, the judgment is affirmed.
HULL, J.
We Concur: Morrison, Acting P.J.
Cantil-Sakauye, J.

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HULL, J.

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The Minutes

March 1, 2005

- C044412 THE PEOPLE v. KETCHUM (Not for Publication)**
The superior court is directed to amend its records to reflect that defendant's conviction on count 5 was for violation of Penal Code section 4573 and to forward an amended abstract of judgment to the Director of the Department of Corrections reflecting the change. In all other respects, the judgment is affirmed.
HULL, J.
We Concur: Davis, Acting P.J.
Robie, J.
- C045553 THE PEOPLE v. OLEYNIK (Not for Publication)**
The judgment is affirmed...
ROBIE, J.
We Concur: Sims, Acting P.J.
Nicholson, J.
- C045751 THE PEOPLE v. BARTEE (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Raye, Acting P.J.
Robie, J.
- C046588 THE PEOPLE v. GUTIERREZ (Not for Publication)**
The judgment is reversed as to counts II and III of case No. CRF00-642 and remanded to the trial court... The trial court shall resentence defendant exercising its full sentencing discretion.
BUTZ, J.
We Concur: Davis, Acting P.J.
Robie, J.
- C045833 ROTAR et al. and KABAI et al. (Not for Publication)**
The judgment is affirmed.
DAVIS, J.
We Concur: Blease, Acting P.J.
Nicholson, J.
- C046921 LAWRENCE et al. v. VERNER et al. (Not for Publication)**
The judgment is affirmed. Defendants shall receive their costs on appeal. (Cal. Rules of Court, rule 27(a).)
SIMS, Acting P.J.
We Concur: Nicholson, J.
Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

March 1, 2005, continued

C042532 THE PEOPLE v. JOHNSON

BY THE COURT:

Appellant's petition for rehearing is denied.
MORRISON, J.

C045867 CARNES v. THE SUPERIOR COURT OF PLACER COUNTY

(Certified for Partial Publication)

THE COURT:

It is ordered that the opinion filed herein on February 7, 2005, be modified...

... This modification changes the judgment.

Carne's petition for rehearing is denied.

BY THE COURT:

SIMS, Acting P.J.
RAYE, J.
ROBIE, J.

March 2, 2005

C041733 THE PEOPLE v. LANGLEY et al. (Not for Publication)

The judgments are reversed and remanded to the trial court... The trial court shall resentence Langley and Collier exercising its full sentencing discretion. At resentencing, the court shall also address the issue of the one-year enhancement it concluded could not be imposed as to Collier (see pp. 23-25, *ante*).

BUTZ, J.

We Concur: Davis, Acting P.J.
 Hull, J.

March 3, 2005

C044462 THE PEOPLE v. SCHOOLEY (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Davis, J.
 Raye, J.

C044854 THE PEOPLE v. KHOUNANI (Not for Publication)

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Hull, J.
 Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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The Minutes

March 3, 2005, continued

- C046589 THE PEOPLE v. CLARK (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Morrison, J.
Robie, J.
- C048008 THE PEOPLE v. CHAVEZ (Not for Publication)**
The judgment is modified... As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment adding this fine and checking the box indicating that local conduct credits were awarded pursuant to section 2933.1 and to forward a certified copy of the amended abstract to the Department of Corrections.
HULL, J.
We Concur: Raye, Acting P.J.
Robie, J.
- C034110 MCCLUNG v. EMPLOYMENT DEVELOPMENT DEPARTMENT et al. (Not for Publication)**
Summary judgment is affirmed in part and reversed in part as follows:... The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 27(3).)
NICHOLSON, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C046598 WILKES v. WILKES and BANKS & WATSON (Not for Publication)**
We therefore reverse the disqualification order. Banks & Watson shall recover costs on appeal. (Cal. Rules of Court, rule 27(a).)
RAYE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C046938 DUPRE v. DUPRE and PETERSON (Not for Publication)**
The trial court's order dismissing the section 3027.1 request for sanctions is reversed. The matter is remanded to the trial court. Mother shall recover costs on appeal.
RAYE, J.
We Concur: Scotland, P.J.
Nicholson, J.

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STATE OF CALIFORNIA
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The Minutes

March 3, 2005, continued

C044170 THE PEOPLE v. PARRIS

BY THE COURT:

Appellant's petition for rehearing is denied.
NICHOLSON, Acting P.J.

**C046372 COUNTY OF EL DORADO v. DEPARTMENT OF TRANSPORTATION
DISTRICT 3 et al., and LAKES ENTERTAINMENT, INC., et al.**

**C048141 VOICES FOR RURAL LIVING et al. v. DEPARTMENT OF TRANSPORTATION
DISTRICT 3 et al., and SHINGLE SPRINGS BAND OF MIWOK INDIANS et al.
COUNTY OF EL DORADO et al., v. DEPARTMENT OF TRANSPORTATION et
al. and LAKES ENTERTAINMENT, INC. et al., and SHINGLE SPRINGS BAND
OF MIWOK INDIANS et al.**

BY THE COURT:

The motion of respondents Department of Transportation et al. for consolidation of the above cases is granted. The cases are ordered consolidated for all further appellate procedures except that they will retain their respective case numbers. Whenever documents are submitted for filing by the parties, an original must be presented for each case number; however, if copies of documents are required pursuant to the California Rules of Court, the parties need only submit a maximum of four. The cases will be considered for decision together.

Respondents' County of El Dorado et al. and Voices for Rural Living et al.'s combined briefs are due on or before March 25, 2005.

DAVIS, Acting P.J.

C048783 THE PEOPLE v. FOSTER

BY THE COURT:

The court examined the notice of appeal and determined that the notice is not in compliance with rule 30(b) of the California Rules of Court. Therefore, the appeal filed January 12, 2005, is dismissed. (In re Chavez (2003) 30 Cal. 4th 643, 651; People v. Mendez (1999) 19 Cal. 4th 1084, 1099.)

DAVIS, Acting P.J.

C049070 THE PEOPLE v. KNIGHT

BY THE COURT:

The court examined the notice of appeal and determined that the order appealed from is nonappealable. Therefore, the appeal filed February 16, 2005, is dismissed.

DAVIS, Acting P.J.

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Davis, J.